

Notice of Allowability

Application No.

10/809,510

Examiner

Arnel C. Lavarias

Applicant(s)

TOGINO, TAKAYOSHI

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 12/11/06.
2. The allowed claim(s) is/are 1,3-12,14 (renumbered 1-12).
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 1) hereto or 2) to Paper No./Mail Date _____.
(b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO/SB/08),
 Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
 of Biological Material
5. Notice of Informal Patent Application
6. Interview Summary (PTO-413),
 Paper No./Mail Date _____
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/11/06 has been entered.

Response to Amendment

2. The amendments to the abstract of the disclosure in the submission dated 12/11/06 are acknowledged and accepted. In view of these amendments, the objections to the specification in Section 11 of the Office Action dated 8/7/06 are respectfully withdrawn.
3. The amendments to Claims 3 and 8 in the submission dated 12/11/06 are acknowledged and accepted. In view of these amendments, the objections to the claims in Section 12 of the Office Action dated 8/7/06 are respectfully withdrawn.
4. The declaration under 37 CFR 1.132 filed 12/11/06 is sufficient to overcome the rejection of Claims 1, 3-12, 14 based upon inventorship under 35 U.S.C. 102(f).

Response to Arguments

5. In view of the submission of the declaration under 37 CFR 1.132 above, as well as Applicant's arguments, see in particular Pages 6-7 of the submission, filed 12/11/06, the rejections of Claims 1, 3-12, 14 in Section 14 of the Office Action dated 8/7/06 have been withdrawn.
6. Further, in view of the submission of the declaration under 37 CFR 1.132 above, the objections to the oath/declaration and to Applicant's claim to priority in Sections 8-9 of the Office Action dated 8/7/06 are respectfully withdrawn.

Allowable Subject Matter

7. Claims 1, 3-12, 14 are allowed.

REASONS FOR ALLOWANCE

8. The following is an examiner's statement of reasons for allowance:

Claim 1 is allowable over the cited art of record for at least the reason that the cited art of record fails to teach or reasonably suggest a projection optical apparatus, as generally set forth in Claim 1, the apparatus including, in combination with the features recited in Claim 1, at least three projection units being provided, wherein at least three display devices among the display devices in the projection units display images of mutually different colors, and the diffusing plate having such a diffusion action that the exit pupil images are each projected in an at least partially overlapping fashion. Claims 3-12 are

dependent on Claim 1, and hence are allowable for at least the same reasons Claim 1 is allowable.

Claim 14 is allowable over the cited art of record for at least the reason that the cited art of record fails to teach or reasonably suggest a stereoscopic viewing system, as generally set forth in Claim 14, the system including, in combination with the features in Claim 14, a first projection member comprising at least three projection units, a second projection member comprising at least three projection units, and the diffusing plate has such a diffusion action that each of exit pupil images at the first given position is projected in an at least partially overlapping fashion and each of exit pupil images at the second given position is projected in an at least partially overlapping fashion.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arnel C. Lavarrias whose telephone number is 571-272-2315. The examiner can normally be reached on M-F 9:30 AM - 6 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone B. Allen can be reached on 571-272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Arnel C. Lavarias
Primary Examiner
Group Art Unit 2872
2/1/07



ARNEL LAVARIAS
PRIMARY PATENT EXAMINER